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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR-08-0405 CW
14 Plaintiff,) AMENDED STIPULATED REQUEST TO
15 v.) VACATE HEARING DATE TO
16 ANTONIO ROYAL,) OCTOBER 1, 2008 AND TO EXCLUDE
a/k/a Antonio Royale,) TIME UNDER THE SPEEDY TRIAL ACT
a/k/a "Tone Royal,")
17 Defendant.) Date: September 3, 2008
18) Time: 2:00 p.m.
19) Court: Hon. Claudia Wilken

20 The above-captioned matter is set on September 3, 2008 for an initial appearance before
21 this Court for trial setting. The parties request that the Court continue the hearing to October 1,
22 2008 at 2:00 p.m. and that the Court exclude time under the Speedy Trial Act between September
23 2, 2008 and October 1, 2008.

24 Defendant Antonio Royal was arraigned in the above-captioned matter on August 6,
25 2008. The government produced discovery to counsel for defendant on August 7, 2008. On
26 August 11, 2008, defendant requested additional discovery from the government. In response,
27 the government produced additional discovery to defendant on August 27, 2008. Additionally,
28 counsel for defendant was out of the office for two weeks starting on Wednesday, August 13,

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1 2008. Defendant, therefore, requires additional time to review the discovery produced by the
2 government, to investigate this matter, and to effectively prepare for the hearing taking into
3 account the exercise of due diligence. The extension is not sought for delay. The parties agree
4 the ends of justice served by granting the continuance outweigh the best interests of the public
5 and the defendant in a speedy trial. Therefore, the parties further stipulate and request that the
6 Court exclude time between the date of this stipulation and October 1, 2008 under the Speedy
7 Trial Act for effective preparation of counsel, continuity of counsel, and pursuant to 18 U.S.C. §
8 3161(h)(8)(B)(iv).

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10 DATED: September 2, 2008

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12 /s/
13 JAMES C. MANN
14 Assistant United States Attorney
Counsel for United States

15 /s/
16 REBECCA SILBERT
17 Assistant Federal Public Defender
18 Counsel for Antonio Royal

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR-08-0405 CW
Plaintiff,) [PROPOSED] ORDER GRANTING
v.) AMENDED STIPULATED REQUEST TO
ANTONIO ROYAL,) VACATE HEARING DATE TO
a/k/a Antonio Royale,) OCTOBER 1, 2008 AND TO EXCLUDE
a/k/a "Tone Royal,") TIME UNDER THE SPEEDY TRIAL ACT
Defendant.) Date: September 3, 2008
) Time: 2:00 p.m.
) Court: Hon. Claudia Wilken

The parties jointly requested that the hearing in this matter be moved from September 3, 2008 to October 1, 2008, and that time be excluded under the Speedy Trial Act between those dates to allow defendant additional time to review the discovery, to investigate this matter, and to effectively prepare for the hearing taking into account the exercise of due diligence. The government produced discovery to counsel for defendant on August 7, 2008. On August 11, 2008, defendant requested additional discovery from the government. In response, the government produced additional discovery to defendant on August 27, 2008. Additionally, counsel for defendant was out of the office for two weeks starting on Wednesday, August 13, 2008. Defendant, therefore, requires additional time to review the discovery produced by the government, to investigate this matter, and to effectively prepare for the hearing taking into

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No. CR-08-0405 CW

1 account the exercise of due diligence. For these stated reasons, the Court finds that the ends of
2 justice served by granting the continuance outweigh the best interests of the public and the
3 defendant in a speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §
4 3161(h)(8)(B)(iv),

5 **IT IS HEREBY ORDERED** that the status hearing in this matter is moved from
6 September 3, 2008 to October 1, 2008 at 2:00 p.m., and that time between September 2, 2008
7 and October 1, 2008 is excluded under the Speedy Trial Act to allow for the effective preparation
8 of counsel, taking into account the exercise of due diligence, and continuity of counsel.

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10 DATED: _____ HON. CLAUDIA WILKEN
11 United States District Judge
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